IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

RP.No. 469 of 2007(K)

AGAINST THE ORDER IN WPC.33707/2006 Dated 19/02/2006

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REVIEW PETITIONERS/PETITIONER

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1. THE KERALA WATER AUTHORITY,
   REP.BY MANAGING DIRECTOR,
   JALABHAVAN, VELLAYAMBALAM.

2. SUPERINTENDING ENGINEER, P.H.CIRCLE,
   KWA, TRIVANDRUM.

3. THE EXECUTIVE ENGINEER, OFFICE OF THE
   EXECUTIVE ENGINEER, WATER SUPPLY DIVISION,
   KWA, TRIVANDRUM.

BY ADV. SRI.M.DINESH, SC, KWA

RESPONDENTS:

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1. K.SATHYADEVAN, KRISHNALAYAM, MANNARKKAD EAST, TRIVANDRUM.

ADDL.2 THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

(ADDL.R2 IMPLEADED SUO MOTU AS PER THE ORDER DATED 1.6.07)

R1 BY ADV. SRI.K.SUBASHCHANDRA BOSE

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

R.P.No.469 OF 2007 IN
W.P(C).NO.33707 OF 2006

Dated this the 1st day of June, 2007

O R D E R

Having heard the counsel for the parties, I deem it appropriate to have the District Collector, Thiruvananthapuram as a necessary party to this writ petition and to the review petition. The District Collector, Thiruvananthapuram is, therefore, hereby impleaded as additional 4th respondent in the writ petition and additional second respondent in the review petition. Learned Government Pleader takes notice for the additional respondent District Collector, Thiruvananthapuram.

2. The contention of the review petitioners is that the Water Authority is only involved in executing the work and the actual disbursement of funds has to be made by the District Collector, who is the disbursing authority in as much as the funds are allocated by the central government for a project. Under such circumstances, the order sought to be reviewed is clarified by

directing that respondents 1 to 3 shall ensure that all necessary calculations on the basis of the data of the work done by the petitioner are promptly formulated and forwarded to the District Collector, Thiruvananthapuram, after calculating the amounts due to the petitioner. On receipt of such communication, the District Collector shall disburse the amounts. Respondents 1 to 3 in the writ petition will, therefore, stand directed to do what is directed as aforesaid within a period of three weeks from now. It is clarified that this order requires only the quantification of amounts as admitted by the respondents and that his order will not stand in the way of the parties working out their remedies as regards any disputes as to the quantum, before the appropriate forum.

3. The review petition is disposed of in the above terms. This order will be an interlocutory order in the writ petition, in view of the impleadment and directions issued.

Hand over copy of this order to learned Government

Pleader. Counsel for the petitioner and counsel for the review petitioners will serve copy of the writ petition and review petition to the learned Government Pleader.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.